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**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF MASSACHUSETTS
 EASTERN DIVISION**

2004 JUN -4 A 11: 12

Becky Barry, et al.

Plaintiffs,

U.S. DISTRICT COURT
 DISTRICT OF MASS.

v.

CIVIL ACTION

Indevus Pharmaceuticals, Inc., F/K/A Interneuron
 Pharmaceuticals, Inc.; Wyeth, Inc., F/K/A American Home
 Products Corporation; Wyeth Pharmaceuticals, Inc. F/K/A
 Wyeth-Ayerst Pharmaceuticals, Inc., A Division of American
 Home Products Corporation; and Boehringer Ingelheim
 Pharmaceuticals, Inc.

Defendants.

04

NO

11211 GAO

**NOTICE OF ORDER REFERRING REMAND MOTIONS IN
 DIET DRUG CASES TO A SINGLE JUDGE FOR DECISION**

This case is one of over 200 diet drug cases originally filed on behalf of approximately 4,500 plaintiffs in state court in Middlesex County, Massachusetts. Wyeth is in the process of removing all of these diet drug cases to the federal court.

In the first of these cases -- *Andrus, et al v. Indevus Pharm., Inc., et al.* -- Wyeth filed a Notice of Removal on May 7, 2004. Because the anticipated remand motions in *Andrus* and this and the other diet drug cases likely will raise similar, if not identical issues, Wyeth filed in *Andrus* a Motion to Refer Decision of Remand Motions in All Diet Drug Cases to a Single Judge for Decision. On May 19, 2004, the court (O'Toole, J.) entered an order granting Wyeth's motion.

Respectfully submitted this 4th day of June, 2004.

/s/ Janice W. Howe

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CERTIFICATE OF SERVICE

This is to certify that I have this day served Notice of Order Referring Remand Motions in Diet Drug Cases to a Single Judge for Decision upon all parties to the above-captioned action by hand and by Federal Express to the following:

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This 4th day of June, 2004.

/s/ Janice W. Howe

Janice W. Howe
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